

BEFORE THE WEST VIRGINIA BOARD OF MEDICINE

IN RE:

STEPHEN SCHEMENAUER, P.A.-C.

CONSENT ORDER

The West Virginia Board of Medicine ("Board") and Stephen Schemenauer, P.A.-C. ("Mr. Schemenauer") pursuant to the W. Va. Code §30-3-1, *et seq.*, and 11 CSR 1B 10.1, freely and voluntarily enter into the following:

FINDINGS OF FACT

1. Mr. Schemenauer, P.A.-C., was licensed as a physician assistant by the West Virginia Board of Medicine in September, 2007, and held license No. 01309, until it was revoked by Consent Order entered into by the Board and Mr. Schemenauer, effective November 28, 2007.

2. Under the terms of the Consent Order, prior to any consideration of physician assistant licensure in West Virginia in the future, in whole or in part, Mr. Schemenauer agreed to provide evidence that he has successfully completed a drug/alcohol rehabilitation program wherein he has received treatment and counseling, all of which records shall be produced for Physician Assistant Committee review; that he has obtained and produced for Physician Assistant Committee review a psychological assessment; and that he has obtained appropriate coursework while unlicensed.

3. Mr. Schemenauer has now requested reinstatement of his license and produced for Physician Assistant Committee review all of the required material set out in paragraph 2 of these Findings of Fact and has appeared before the Physician Assistant Committee for a full discussion of his health and well-being.

4. The Physician Assistant Committee is satisfied that Mr. Schemenauer is in recovery, with a diagnosis of alcohol dependence in remission and that he is a full participant with the West Virginia Medical Professionals Health Program.

5. The Physician Assistant Committee has determined that Mr. Schemenauer is in good health and he meets the requirements for reinstatement of his physician assistant license, though permitting such reinstatement without attaching certain accommodations, restrictions and limitations upon his license could adversely affect the health and welfare of a patient.

CONCLUSIONS OF LAW

1. The West Virginia Board of Medicine has a mandate pursuant to West Virginia Code §30-3-1, to protect the public interest.

2. Probable cause exists to deny reinstatement of licensure as a physician assistant to Mr. Schemenauer pursuant to the provisions of 11 CSR 1B 10.1(h) and 11 CSR 1B 11.

3. It is appropriate and in the public interest to reinstate the license of Mr. Schemenauer with certain accommodations, restrictions and limitations upon his licensure as a physician assistant in the State of West Virginia.

CONSENT

Mr. Schemenauer agrees solely and exclusively for the purpose of the entry of this Order to the following:

1. Mr. Schemenauer acknowledges that without consent, no permanent legal action may be taken against him except after a hearing held in accordance with 11 CSR 1B 10.1 and 11 and W. Va. Code §29A-5-1, *et seq.*, and W. Va. Code §30-3-16;

2. Mr. Schemenauer further acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him;

3. Mr. Schemenauer waives all such due process rights;

4. Mr. Schemenauer consents to the entry of this Order relative to his practice as a physician assistant in the State of West Virginia; and,

5. Mr. Schemenauer understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and the foregoing consent of Mr. Schemenauer, the West Virginia Board of Medicine hereby **ORDERS**:

1. The license to practice as a physician assistant in the State of West Virginia of Mr. Schemenauer, License # 01309, is REINSTATED, effective December 1, 2008.

2. Said License is issued for a period of one year, automatically expiring on the thirtieth (30th) day of November, 2009, and automatically expiring prior to that date should it be reported in writing by the West Virginia Medical Professionals Health Program, Inc., that Mr. Schemenauer is not in compliance with his agreement as a participant in the West Virginia Medical Professionals Health Program, Inc., and Mr. Schemenauer shall immediately surrender his license to the Board in that event.

3. Mr. Schemenauer shall continue full cooperation as a participant in the West Virginia Medical Professionals Health Program, Inc.

4. Mr. Schemenauer will meet with the Physician Assistant Committee at its regular scheduled meeting in November, 2009, for a full discussion of his progress, health and well being, and any future licensure as a physician assistant.

5. Within five (5) days of entry of this Consent Order, Mr. Schemenauer shall provide a copy of this Order to any employer or health care or medical facility where Mr. Schemenauer seeks to practice as a licensed physician assistant.

The failure of Mr. Schemenauer to comply with any of the terms of this Consent Order, as determined by the Board, shall constitute grounds for further discipline of his licensure as a physician assistant in the State of West Virginia by this Board.

Dated this 20th day of November, 2008.

WEST VIRGINIA BOARD OF MEDICINE

John A. Wade, Jr.
John A. Wade, Jr., M.D.
President

Catherine Slemp
Catherine Slemp, M.D., M.P.H.
Secretary

Stephen Schemenauer P.A.-C.
Stephen Schemenauer, P.A.-C.

Date: 11/17/08

STATE OF OHIO

COUNTY OF WASHINGTON, to-wit:

I, BARBARA M. NEVILLE, Notary Public for said county and state do hereby certify that STEPHEN SCHEMENAUER, P.A.-C., whose name is signed on the previous page, has this day acknowledged the same before me.

Given under my hand this 17TH day of NOVEMBER, 2008.

My Commission expires 4-14-2013.

Barbara M. Neville
NOTARY PUBLIC



BARBARA M. NEVILLE, Notary Public
In and For The State of Ohio
My Commission Expires 4-14-2013



State of West Virginia *Board of Medicine*

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VICE PRESIDENT

ROBERT C. KNITTLE
EXECUTIVE DIRECTOR

May 20, 2009

Stephen A. Schemenauer, P.A.-C.
26 Putnam Place
Marietta, Ohio 45750

Dear Mr. Schemenauer:

I am today in receipt of your wallet card evidencing physician assistant licensure in West Virginia, from P. Bradley Hall, M.D. As of today the Board of Medicine website shows your physician assistant license "expired." A copy of this letter will be attached to your November 20, 2008, Consent Order and will remain a part of the Consent Order.

On behalf of the Board of Medicine, I wish you well in your continued recovery. Best wishes to you.

Sincerely,

Robert C. Knittle

lab
pc: P. Bradley Hall, M.D.